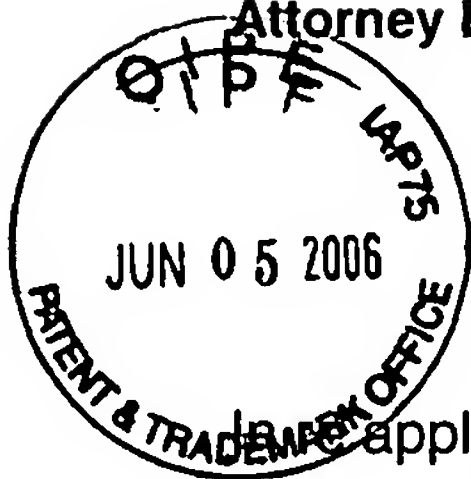


IAP7 Rec'd PCT/PTO 05 JUN 2006  
**ORIGINAL** PATENT

Attorney Docket No. LeA 36 358



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Thomas, Christian

Application No.: 10/538,342

Group No.:

Filed: June 10, 2005

Examiner:

For: Method for Producing 5-Chloro-*N*-(((5*S*)-2-oxo-3-[4-(3-Oxo-4-morpholinyl)phenyl]-1,3-oxazolidin-5-yl)methyl)-2-thiophenecarboxamide.

**CERTIFICATION OF MAILING UNDER 37 C.F.R. 1.8(a)**

I hereby certify that this correspondence and any papers referred to as attached are being deposited, on the date shown below, with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to MAIL STOP MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 31 May 2006

  
William F. Gray

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COMPLETION OF FILING REQUIREMENTS  
NONPROVISIONAL APPLICATION**

This replies to the Notice to File Missing Parts of Application mailed to applicants on 04/14/2006. A copy of the Notice to File Missing Parts is enclosed.

**DECLARATION OR OATH**

No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

**COMPLETION FEES**

Surcharge fee for late filing of original declaration or oath (37 C.F.R. 1.16(e)) \$130.00.

06/08/2006 MKAYPAGH 00000068 133372 10538342

01 FC:1617 130.00 DA



ORIGINAL

### EXTENSION OF TIME

The proceedings herein are for a patent application, and the provisions of 37 C.F.R. 1.136(a) apply. Applicant petitions for an extension of time, the other than small entity fee for which is set out in 37 C.F.R. 1.17(a)(4), for N/A months.

Fee \$ N/A

If an additional extension of time is required, please consider this a petition therefor.

### TOTAL FEE DUE

The total fee due is:

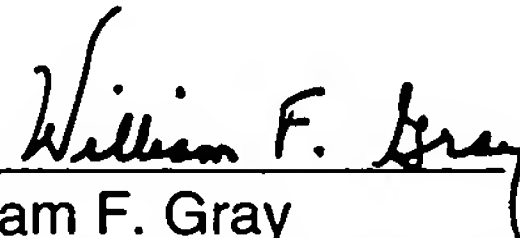
Completion fees	\$130.00
Extension fee (if any)	\$ <u>N/A</u>
Total Fee Due	\$130.00

### PAYMENT OF FEES

Charge Account No. 13-3372 in the amount of \$ 130.00 . A duplicate of this request is attached.

Please charge Account No. 13-3372 for any fees that may be due by this paper.

Respectfully submitted,



William F. Gray  
Attorney for Applicant(s)  
Bayer Corporation  
400 Morgan Lane  
West Haven, CT 06516-4175

Registration No. 31,018

Phone: (203) 812-2712



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/538,342	Christian R. THOMAS	Le A 36 358

35969  
 JEFFREY M. GREENMAN  
 BAYER PHARMACEUTICALS CORPORATION  
 400 MORGAN LANE  
 WEST HAVEN, CT 06516

**RECEIVED**

APR 18 2006

JEFFREY M. GREENMAN

INTERNATIONAL APPLICATION NO.

PCT/EP03/14871

I.A. FILING DATE

12/24/2003

PRIORITY DATE

01/07/2003

CONFIRMATION NO. 1568

371 FORMALITIES LETTER



\*OC000000018513758\*

Date Mailed: 04/14/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/10/2005
- Copy of the International Search Report filed on 06/10/2005
- Preliminary Amendments filed on 06/10/2005
- Information Disclosure Statements filed on 06/10/2005
- Request for Immediate Examination filed on 06/10/2005
- U.S. Basic National Fees filed on 06/10/2005
- Priority Documents filed on 06/10/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$360 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$490 for a Large Entity:

- \$130 Surcharge.
- Total additional claim fee(s) for this application is \$ 360
  - \$360 for multiple dependent claim surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/538,342	PCT/EP03/14871	Le A 36 358